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## Czech Republic

## Biotechnology

# Implementation of GM Labeling Law - Consumer Products

## 2001

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**Report Highlights:** The Czech Republic's GM labeling law for consumer products goes into effect on January 1, 2002. No consumer products have yet appeared with the new label. Some retail suppliers are asking companies to provide documentation that their products do not contain GMOs. One U.S. product has already been identified by a pretesting program as not being compatible with the new law and one U.S. supplier has been dropped by a large retailer, in part because it could not provide GM-free guarantees for their grocery products.

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Includes PSD changes: No  
Includes Trade Matrix: No  
Unscheduled Report  
Vienna [AU1], EZ

**The Legislative Base:**

Law no. 110/97 Coll. On Food and Tobacco Products has many technical decrees pertaining to foodstuffs. One of them, Decree 324/97 (as amended by 24/2001), concerns the labeling of genetically modified foodstuffs. Amendment 24/2001 comes into force January 1, 2002, and all products containing GM-DNA produced or imported since January 1, 2002 will have to be labeled if they contain more than 1% of a GMO. In addition, the GMO variety must first be approved by the Ministry of Health.

In January 2001 the Czech Republic put in place a law governing the handling of genetically modified organisms (GMOs) (Law 153/2000). This law does not address the labeling of GM foods. This law and its decrees provide detailed rules and regulations on the GMO approval process, including the registration of users, approval and registration of GMOs for contained use, and approval for release into the environment and onto the market. Under the law, GM products may only be released into the environment after the approval of the Ministry of Health.

**Registration and Labeling:**

Even though many Czech regulators do not have philosophical objections to GMOs and see the EU's moratorium on GMO approval as a trade barrier, they believe the Czech Republic has an obligation to harmonize legislation with the EU. However, GM varieties approved in the EU are not automatically approved in the Czech Republic and biotechnology companies have to go through the Czech approval process. To date, the only company that has requested approval is Monsanto (for its Roundup Ready soybeans). The request was approved by the Ministry of Health. The lack of requests is due to a general lack of knowledge by foreign biotechnology companies about the Czech law. In addition, the cost of providing information relevant to the registration may be seen as high in relation to the size of the Czech market.

Importers and food producers have been asking their suppliers for a declaration that the commodity ingredients (such as soya or corn) do not contain GM-DNA. Alternatively, some buyers have asked their suppliers to go through the approval process.

**Retailer's Seem Agnostic and NGO Action Not Certain**

There are a lot of U.S. products on the Czech market that may contain GMOs, e.g. corn chips, baking mixes, noodles, ketchup, products from soya such as tofu, soya milk, chocolate, etc. Retailers have been requesting statements from their suppliers and importers that their products do not contain GMOs. So far, most producers have provided statements and there are no GM labeled products on the market. Reportedly, one large U.S. company supplying Tesco has been dropped due to its unwillingness to provide either a GM-free certification or a GM-labeled product.

The sentiment among retailers is indifference. They do not mind putting a product containing GMO on the shelf as long as the product is labeled and the GMO variety is approved by the Ministry of Health. U.S. exporters should expect to receive orders with one of the contract

specifications being either a statement that the product is GM-free or that they will label the presence of an approved GM-ingredient.

It is not yet clear to what extent Czech NGOs will use the new GM label to single out products. Greenpeace has already identified a range of products believed to contain GMOs and maintains a list on their Czech language web page.

### **Government Plans to Enforce Labeling Law:**

The government's labeling control arm, the Czech Agricultural and Food Inspection office (CAFI), is said to be ready for the new law. As of January 2002, CAFI will take random samples and will test for the presence of GMOs. If they are found and the retailer has a certificate from the supplier that the product is GMO free, the fine is paid by the supplier and the products will be taken from the shelves. CAFI is not willing to disclose their plan for testing. The tests will be done in a CAFI laboratory in Brno. The level of fines has not yet been set.

CAFI did some preliminary tests in November 2000. The analysis focused on foodstuffs produced from soya and corn. Out of ten samples, the results were:

- (6 of 10) Does not contain GM-DNA.
- (3 of 10) Contains DNA for Round Up Ready soya. These products will have to be labeled (RR-soya is already approved by the Ministry of Health).
- (1 of 10) Contains DNA for Bt-176 corn. This product will have to be removed from stores by January 1, 2002, since Bt-corn is not approved by the Ministry of Health. No company has yet asked for approval and registration and therefore Bt-176 corn may not be used in a food product.

### **Related webpages:**

Ministry of Environment:	<a href="http://www.env.cz">www.env.cz</a>
Ministry of Agriculture:	<a href="http://www.mze.cz">www.mze.cz</a>
Ministry of Health:	<a href="http://www.mzcr.cz">www.mzcr.cz</a>
Czech Agricultural and Food Inspection:	<a href="http://www.czpi.cz">www.czpi.cz</a> (esp. <a href="http://www.czpi.cz/en/pristup_GMO.html">www.czpi.cz/en/pristup_GMO.html</a> )
Civic Association focused on GMO:	<a href="http://www.biotrin.cz">www.biotrin.cz</a>
Greenpeace:	<a href="http://www.greenpeace.cz">www.greenpeace.cz</a>